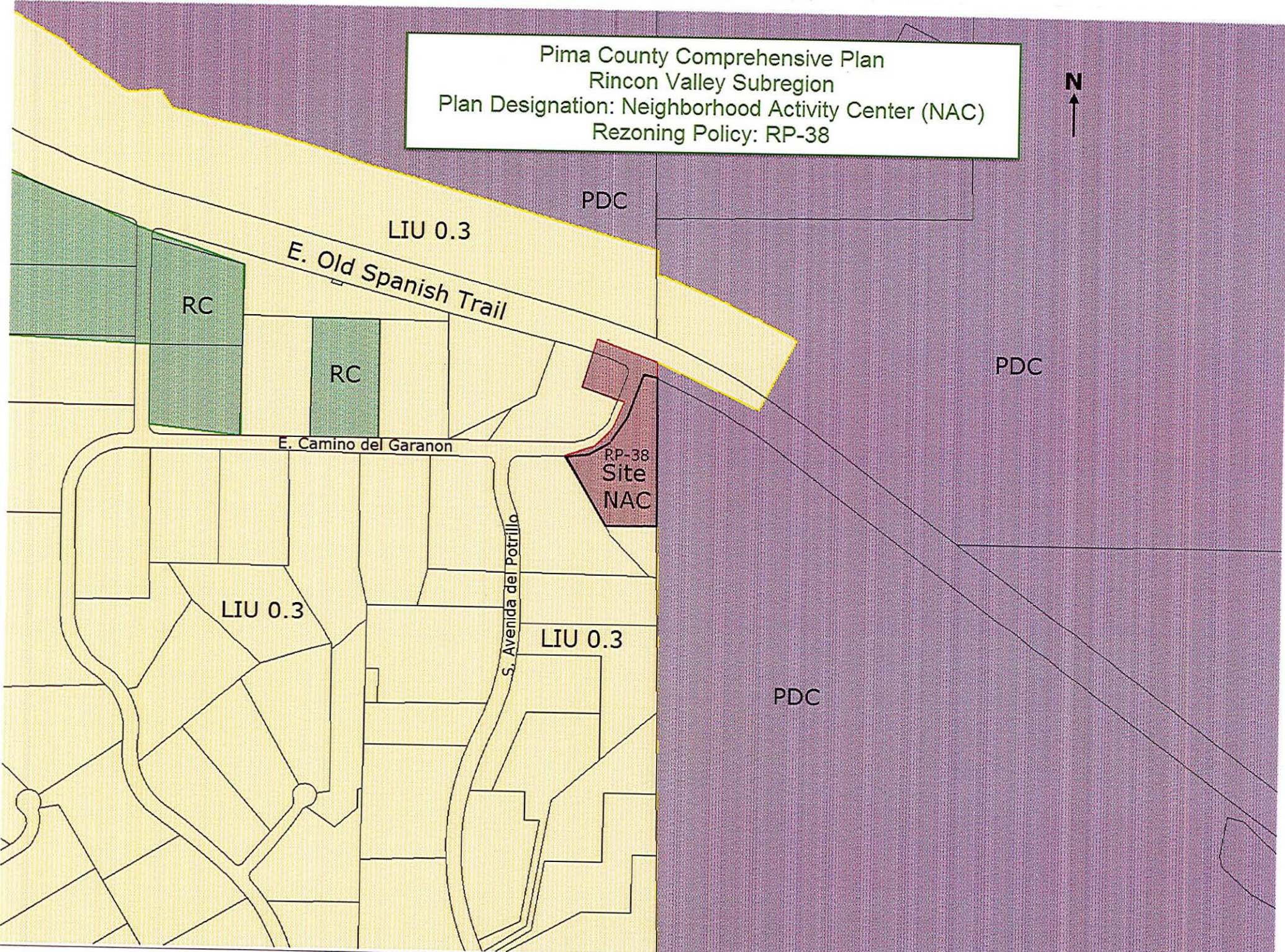


Pima County Comprehensive Plan
Rincon Valley Subregion
Plan Designation: Neighborhood Activity Center (NAC)
Rezoning Policy: RP-38



Excerpt from Pima Prospers FINAL (as adopted 2015)

Land Use Legend

The Land Use Intensity Legend is composed of a number of “urban/suburban”, “rural” land use, and general categories. Urban/suburban designations are usually used in the metropolitan areas of Tucson, Green Valley and certain unincorporated communities. Rural land uses are generally used in exurban and rural locales. General categories can be found throughout the unincorporated county. Each category includes a description of the objectives and the types of uses intended for that category. In addition, most categories that allow residential uses include a minimum and maximum gross density, defined as residences per acre (RAC). Only land area zoned and planned for residential use or open space areas not including golf courses, shall be included in gross density calculations.

Effective densities throughout the rezoning process may be constrained by hydrology, open space requirements, overlay zones, cultural resources, and many other factors.

A. Urban/Suburban Intensity Categories

The following land use intensity categories shall be applied to designate planned land use within urban and suburban areas only:

.....

2. **Neighborhood Activity Center (NAC)**

- a. Objective: To designate lower intensity mixed-use areas designed to provide goods and services within or near residential neighborhoods for day-to-day and weekly living needs. Neighborhood Activity Centers provide lower-intensity commercial services. For example a grocery market may be the principle anchor tenant along with other neighborhood services, such as a drugstore, variety/hardware store, self-service laundry and bank. The center may include a mix of medium-density housing types. Neighborhood Activity Centers are generally less than 25 acres in size. Larger centers provide opportunity for a mix of intensive non-residential uses and medium-density residential uses, and are to be located on arterials. Smaller mixed-use centers may contain medium-density residential uses and may be located along collector or arterial streets. All centers will have direct pedestrian and bicycle access to the surrounding neighborhoods. Individual rezoning requests do not necessarily have to be a mixed-use project; however, the application must demonstrate how the project serves to create or enhance the mixed-use character of the designated activity center as a whole.
- b. Residential Gross Density: Residential gross density, if applicable, shall conform to the following:

Special Area and Rezoning Policies

Special Area Policies (SAP) are one of the two types of mapped plan policies (along with Rezoning Policies (RP)), covered in a following section of this chapter. SAPs apply to sites typically composed of multiple parcels that share a unique physical feature or location over a relatively large area. They overlay larger areas such as transportation gateways into metro Tucson, significant floodplains, or areas covering a significant portion of a planning area carried forward from a previous (rescinded) area, neighborhood, or community plan.

They are used to help guide the creation of rezoning conditions, but also may serve as general policy for the area they cover such as the Community Development Target Areas.

Special Area Policies are labeled as “S” and are numbered individually on the plan’s land use maps. In parenthesis next to the policy title is the referenced map in which the special area lies.

.....

RP-38 Southeast Corner of Old Spanish Trail and Camino Garanon (RV)

General Location

Southeast Corner of Old Spanish Trail and Camino Garanon, in Section 17 of Township 15 South, Range 17 East.

Description

Allows expansion of Neighborhood Activity Center with natural open space design.

Policy

The subject property may increase the Neighborhood Activity Center by one acre. The balance of the property shall be left as natural open space.

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Pima County Comprehensive Plan
Flood Control Resource Areas



FCRA

E. Old Spanish Trail

Flood Control
Resource Area
(FCRA)

FCRA

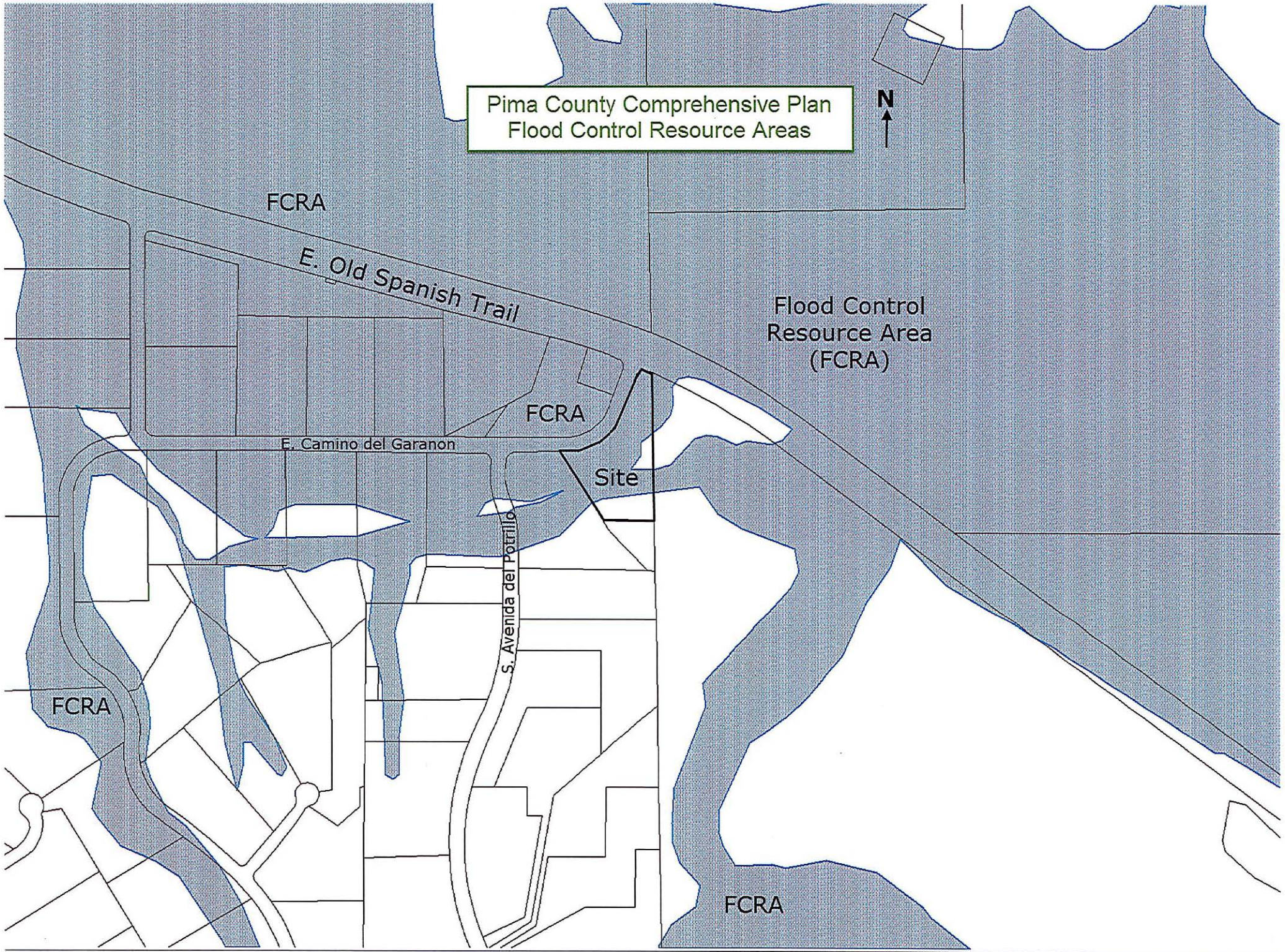
E. Camino del Garanon

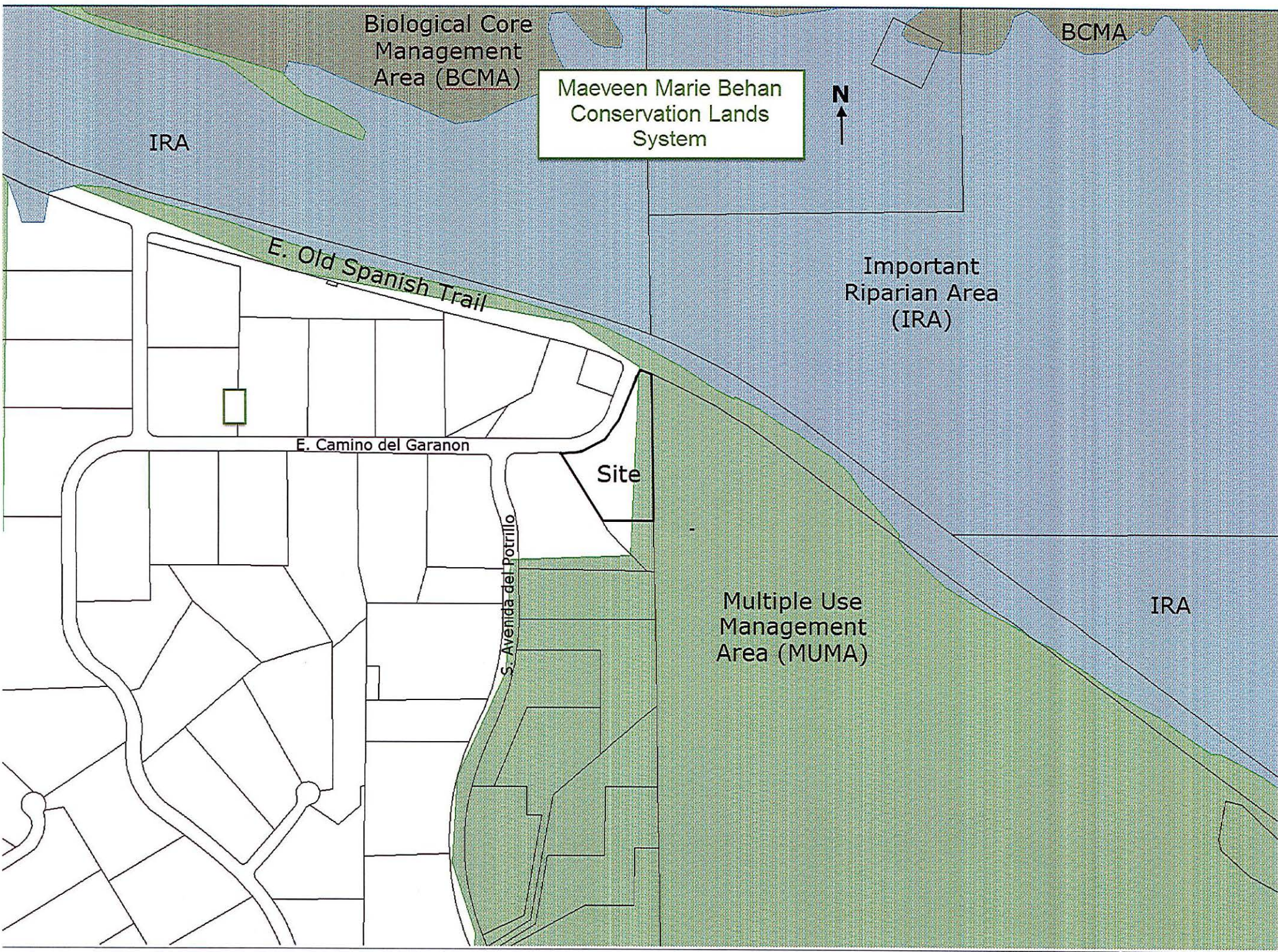
Site

S. Avenida del Potrillo

FCRA

FCRA





Biological Core Management Area (BCMA)

Maeveen Marie Behan Conservation Lands System



BCMA

IRA

E. Old Spanish Trail

Important Riparian Area (IRA)

E. Camino del Garanon

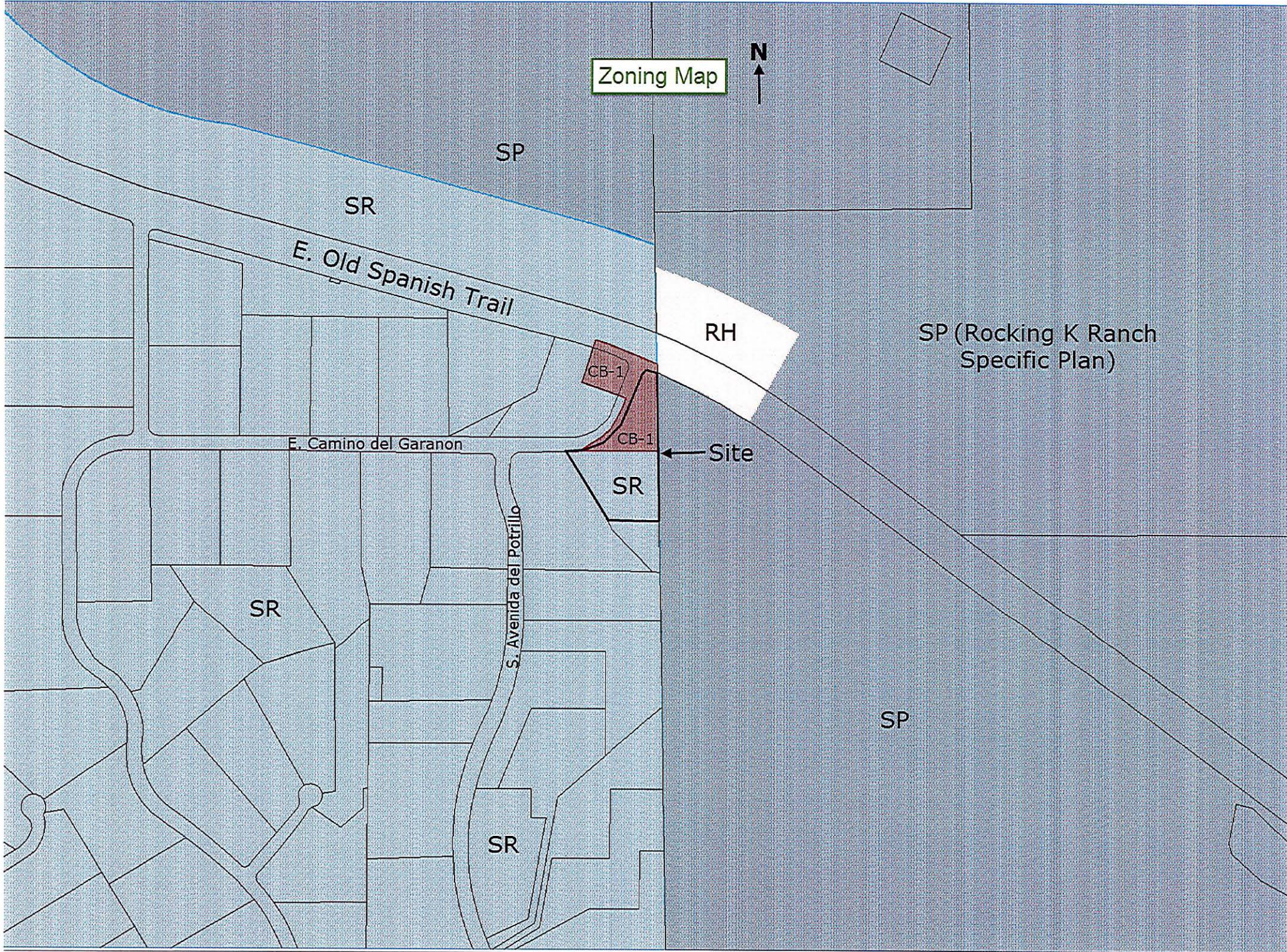
Site

S. Avenida del Potrillo

Multiple Use Management Area (MUMA)

IRA

Zoning Map



SR

SP

E. Old Spanish Trail

RH

SP (Rocking K Ranch Specific Plan)

CB-1

CB-1

Site

E. Camino del Garanon

SR

S. Avenida del Potrillo

SR

SP

SR

Co9-03-31 Rezoning Time Extension Approval BOS Minutes 4-15-14

~~unanimously carried by a 5-0 vote, to close the public hearing and approve the five-year time extension for Co9-06-09, subject to modified and additional standard and special conditions.~~

→ 20. Co9-03-31, BACKUS - OLD SPANISH TRAIL REZONING

A. Closure

Proposal to close a 3.04 acre rezoning from the SR (Suburban Ranch) to CB-1 (Local Business) (.97 acres) and SR® (Suburban Ranch-Restricted) (2.07 acres) zone. The 3.04 acre subject site was rezoned in 2003. The rezoning expired on January 20, 2014. The site is located on the southeast corner of Camino Del Garanon and Old Spanish Trail. Staff recommends AGAINST CLOSURE. (District 4)

B. Time Extension

Request of Peter and Deborah Backus, for a five-year time extension of a 3.04 acre rezoning from the SR (Suburban Ranch) to CB-1 (Local Business) (.97 acres) and SR® (Suburban Ranch-Restricted) (2.07 acres) zone. The 3.04 acre subject site was rezoned in 2003. The rezoning expired on January 20, 2014. The site is located on the southeast corner of Camino Del Garanon and Old Spanish Trail. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH MODIFIED AND ADDITIONAL STANDARD AND SPECIAL CONDITIONS. (District 4)

It was moved by Supervisor Carroll, seconded by Supervisor Miller and unanimously carried by a 5-0 vote, to continue these items to the Board of Supervisors' Meeting of May 13, 2014.

21. Co9-03-32, LEE, ET AL. - ORANGE GROVE ROAD REZONING

A. Closure

Proposal to close a 8.90 acre rezoning (approximately 9.55 original acres minus approximately .65 acres of dedicated right-of-way) from the SR (Suburban Ranch) to TR (Transitional) (5.11 acres) and SR® (Suburban Ranch-Restricted) (4.44 acres) zone. The 9.55 acre subject site was rezoned in 2003. The rezoning will expire on April 13, 2014. The site is located on the southwest corner of Orange Grove Road and San Joaquin Avenue. Staff recommends AGAINST CLOSURE. (District 1)

The Chair inquired whether anyone wished to address the Board. No one appeared. It was moved by Supervisor Miller, seconded by Supervisor Carroll and unanimously carried by a 5-0 vote, to accept the recommendation against closure.

B. Time Extension

Request of Lee Family Trust 3/4, et al. represented by Presidio Engineering, Inc., for a five-year time extension of a 8.90 acre rezoning (approximately 9.55 original acres minus approximately .65 acres of dedicated right-of-way) from the SR (Suburban Ranch) to TR (Transitional) (5.11 acres) and SR®

Co9-03-31 Rezoning Time Extension Approval

BOJ Minutes 5-19-09

11. Adherence to the preliminary development plan as approved at public hearing. The CB-2 rezoning area is limited to a maximum of 0.5 acres restricted to automotive repair use. The CI-2 rezoning area is limited to a maximum of 2.0 acres for an impoundment storage yard, excluding storage of car and other vehicle hulks and scrap materials.
12. In the event the subject property is annexed, the property owner shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
13. The property owner shall execute and record the following disclaimer regarding Prop 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner to any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Time limits, extensions and amendments of conditions.

1. Conditions 1 through 13 shall be completed by March 16, 2009 **2011**.
2. The time limit may be extended by the Board of Supervisors by adoption of a resolution in accordance with Chapter 18.91 of the Pima County Zoning Code.
3. No building permits shall be issued based on the rezoning until all conditions 1 through 13 are satisfied and the Planning Official issues a Certificate of Compliance.
4. The rezoning conditions may be amended or waived by resolution of the Board of Supervisors in accordance with Chapter 18.91 of the Pima County Zoning Code."

Tom Hudson, Zoning Administrator, provided a report and said that the owner requested a five-year time extension for additional time in order to complete the final stages of Code compliance requirements resulting from zoning violations on the property in January of 2000. However, staff believed a shorter time extension was warranted and recommended a two-year time extension. Progress has been made in the clean-up of the site but given the history of the property and the number of years staff worked with the property owner to resolve zoning violations, it was felt that a shorter time extension was warranted. Major actions still needed to be in compliance included the approval of the Development Plan, a Drainage Study, a Water Quality Impact Study and staff felt two years was sufficient time to accomplish these requirements. In the event the applicant does not finalize the rezoning within the time extension period, the violation case on the property would be reopened. Staff met with the owner and his consultant and received their assurances that the necessary actions to complete the rezoning requirements would be diligently pursued and accomplished within the allotted time frame of March 2011.

On consideration, it was moved by Supervisor Valadez, seconded by Supervisor Bronson and unanimously carried by a 5-0 vote, to close the public hearing and approve a 2-year time extension subject to additional and modified standard and special conditions.

20. DEVELOPMENT SERVICES: REZONING TIME EXTENSION

Co9-03-31, BACKUS – OLD SPANISH TRAIL REZONING

Request of Peter G. Backus, for a five-year time extension of a rezoning from SR (Suburban Ranch) of approximately 3.10 acres to CB-1 (Local Business) for approximately 0.97 acres and SR@ (Suburban Ranch Restricted) for approximately 2.07 acres located on the southwest corner of Old Spanish Trail and Camino del

Garanon. The subject site was rezoned in 2004 and expired in 2009. Staff recommends APPROVAL OF A FIVE-YEAR TIME EXTENSION WITH ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS. (District 4)

"STAFF RECOMMENDATION

Staff recommends APPROVAL of a five-year time extension for approximately 3.10 acres to CB-1 (Local Business) for approximately 0.97 acres and SR® (Suburban Ranch) (Restricted) for approximately 2.07 acres with additional and modified standard and special conditions.

IF THE DECISION IS MADE TO APPROVE THE TIME EXTENSION, THE FOLLOWING ADDITIONAL AND MODIFIED STANDARD AND SPECIAL CONDITIONS SHOULD BE CONSIDERED:

Completion of the following requirements by **January 20, 2014**:

1. Submittal of a development plan if determined necessary by the appropriate County agencies.
2. Recording of a covenant holding Pima County harmless in the event of flooding.
3. Recording of the necessary development related covenants as determined appropriate by the various County agencies.
4. Provision of development related assurances as required by the appropriate agencies.
5. Prior to the preparation of the development related covenants and any required dedication, a title report (current to within 60 days) evidencing ownership of the property shall be submitted to the ~~Public Works Department, Real Property Services~~ Development Services Department, Document Services.
6. There shall be no further lot splitting or subdividing without the written approval of the Board of Supervisors.
7. Transportation conditions:
 - A. ~~A Traffic Impact Analysis (TIA) shall be provided by the property owner(s) for this rezoning for review and approval by the Department of Transportation, prior to the first development plan or tentative plat submittal. The results of the approved TIA shall be used to establish required transportation improvements to the area roadway system. The property owner(s) shall be responsible for construction of required improvements on area roads. The property owner(s)/developer(s) shall construct offsite improvements to Camino Del Garanon and Old Spanish Trail as determined necessary by the Department of Transportation.~~
 - B. The property owner(s)/developer(s) shall accept responsibility for the maintenance, control, safety and liability of privately owned roads, parking areas, drives, physical barriers, drainageways and drainage easements.
 - C. No access shall be allowed on Old Spanish Trail.
8. Flood Control conditions:
 - A. Drainage shall not be altered, disturbed or obstructed without the written approval of the Flood Control District.
 - B. The property owner(s)/developer(s) shall provide all necessary on-site and off-site drainage related improvements that are needed as a result of the proposed development of the subject property. The location, design and construction of said improvements shall be subject to the approval of the Flood Control District.
 - C. The property owner(s)/developer(s) shall obtain a Floodplain Use Permit for any development on the subject property.
 - D. The property owner(s)/developer(s) shall comply with detention/retention conditions and restrictions, or provide an in-lieu fee, as stated in the Floodplain Management Ordinance since the property lies within a balanced basin.
 - E. The property owner(s)/developer(s) shall contact the Flood control District to determine whether a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) are required due to the impact of the federally mapped floodplain (FEMA) on the proposed development.
 - F. All-weather access shall be provided to the development to meet concurrency requirements.
 - G. A riparian mitigation plan shall be required for development in designated riparian areas.
9. Wastewater Management condition:

The property owner(s)/developer(s) ~~must~~ shall connect to the public sewer system at the location and in the manner specified by Wastewater Management at the time of review of the tentative plat, development plan or request for building permit.
10. Cultural Resources and Historic Preservation condition:

Prior to ground modifying activities, an on-the-ground archaeological and historic sites survey shall be conducted on the subject property. A cultural resources mitigation plan for any identified archaeological and historic sites on the subject property shall be submitted at the time of, or prior to, the submittal of any tentative plan or development plan. All work shall be conducted by an archaeologist permitted by the Arizona State Museum, or a registered architect, as appropriate.

Following rezoning approval, any subsequent development requiring a Type II grading permit will be reviewed for compliance with Pima County's cultural resources requirements under Chapter 18.81 of the Pima County Zoning Code.

11. Adherence to the preliminary development plan as approved at public hearing. Uses are restricted to offices, commercial retail, and non-drive-thru restaurants. Within 30-days of the Board of Supervisor's approval of a 5-year time extension the owner(s)/developer(s) shall submit a registered survey with attached exhibit map to Development Services delineating the zoning district boundaries of CB-1 and SR(Restricted). The subject property shall remain as one parcel.
12. ~~Unless the U.S. Fish & Wildlife Service provides information to the contrary, the site shall be surveyed for the presence/absence of the cactus ferruginous pygmy owl by an entity qualified to perform biological surveys and who possesses a valid permit from the U.S. Fish & Wildlife Service to perform such surveys. Surveys shall be done according to the most current protocol approved by the U.S. Fish & Wildlife Service. If surveys are performed, results of these surveys and copies of any data collected shall be provided to Development Services.~~

13-12. Environmental Planning conditions:

~~Plants to be used for landscaping and revegetation shall be drought tolerant native species which are compatible with native vegetation endemic to the project area. Revegetated areas will establish multiple height layers of vegetation that create a ground cover layer, a shrub mid-story layer, and a canopy layer. Under no circumstances shall the following exotic plant species be planted anywhere on the site:~~

~~Fountain grass (Pennisetum setaceum)
 Buffelgrass (Pennisetum ciliare)
 Johnson grass (Sorghum halapense)
 Giant reed (Arundo donax)
 Common crabgrass (Digitaria sanguinalis)
 Pampas grass (Cortaderia selloana)
 Red brome (Bromus rubens)
 Mediterranean grass (Schismus spp.)
 Tree of heaven (Ailanthus altissima)
 African sumac (Rhus lancea)
 Russian olive (Elaeagnus angustifolia)
 Salt cedar/Tamarisk (Tamarix pertandra & T. ramosissima)
 Lovegrasses (Eragrostis spp.) excluding Plains lovegrass (Eragrostis intermedia)
 Bermuda grass (Cynodon dactylon) excluding sod hybrid Bermuda~~

A. Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (Pennisetum ciliare) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site and Pima County may enforce this rezoning condition against the property owner(s). Prior to issuance of the certificate of compliance, the owner(s)/developer(s) shall record a covenant, to run with the land, memorializing the terms of this condition.

B. Invasive Non-Native Plant Species Subject to Removal:

<u>Ailanthus altissima</u>	<u>Tree of Heaven</u>
<u>Alhagi pseudalhagi</u>	<u>Camelthorn</u>
<u>Arundo donax</u>	<u>Giant reed</u>
<u>Brassica tournefortii</u>	<u>Sahara mustard</u>
<u>Bromus rubens</u>	<u>Red brome</u>
<u>Bromus tectorum</u>	<u>Cheatgrass</u>
<u>Centaurea melitensis</u>	<u>Malta starthistle</u>
<u>Centaurea solstitialis</u>	<u>Yellow starthistle</u>
<u>Cortaderia spp.</u>	<u>Pampas grass</u>
<u>Cynodon dactylon</u>	<u>Bermuda grass (excluding sod hybrid)</u>
<u>Digitaria spp.</u>	<u>Crabgrass</u>
<u>Elaeagnus angustifolia</u>	<u>Russian olive</u>
<u>Eragrostis spp.</u>	<u>Lovegrass (excluding E. intermedia, plains lovegrass)</u>
<u>Melinis repens</u>	<u>Natal grass</u>
<u>Mesembryanthemum spp.</u>	<u>Iceplant</u>
<u>Peganum harmala</u>	<u>African rue</u>
<u>Pennisetum ciliare</u>	<u>Buffelgrass</u>
<u>Pennisetum setaceum</u>	<u>Fountain grass</u>
<u>Rhus lancea</u>	<u>African sumac</u>
<u>Salsola spp.</u>	<u>Russian thistle</u>
<u>Schismus arabicus</u>	<u>Arabian grass</u>

Schismus barbatus
Sorghum halepense
Tamarix spp.

Mediterranean grass
Johnson grass
Tamarisk

- C. The 2.07 acres of SR@ (Suburban Ranch)(Restricted) shall, in perpetuity, remain as "natural open space" as defined in the zoning code. Natural open space shall be protected from intentional disturbances including, but not limited to, grading, brush clearing, pruning, and deposition of debris.
- 15-13. Structures are limited to a maximum of 24 feet and one story.
14. In the event the subject property is annexed, the owner(s)/developer(s) shall adhere to all applicable rezoning conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
15. The property owner(s)/developer(s) shall execute and record the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, Chapter 8; Article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(l)."

Tom Hudson, Zoning Administrator, provided a report and the owner cited poor market conditions as the reason for the time extension request. Staff received no comments from the public.

Supervisor Carroll inquired whether Transportation staff had seen a petition regarding the repaving of Old Spanish Trail, east of Camino Loma Alta, which he believed was passed around by the Coyote Creek Homeowners Association. He requested a continuance of this time extension because the applicant signed the petition, and the petition indicated that Camino Loma Alta was in a constant state of disrepair. He asked whether there were any plans to repave Camino Loma Alta.

Priscilla Cornelio, Transportation Director, stated there were no plans at this time, but the department would investigate whether there were potholes they have not corrected or repaired.

Supervisor Carroll suggested this item be continued to the Board of Supervisors' Meeting of June 2, 2009, in order to allow time for an assessment of the roadway conditions and to obtain an improvement plan to overlay the roadway including a firm date regarding when that plan would come to fruition.

Chairman Elias stated this was a request for a five-year time extension, and he felt the issue of the roadway conditions could be addressed in that time frame so there was no need to continue this item.

On consideration, it was moved by Supervisor Valadez, seconded by Chairman Elias and carried by a 4-1 vote, Supervisor Carroll voting "Nay," to approve Co9-03-31 for a five-year time extension with additional and modified standard and special conditions.

21. ~~DEVELOPMENT SERVICES: CONDITIONAL USE PERMIT~~

~~P21-07-027, REAY - N. SANDARIO ROAD~~